R.7-3-92.

G. R. S. IX-5]

Previous references.

A.G. 8-7-91 to
S.R. 37-1891
S.R. 54-1892
S.R. 55-92

1893-94
~~191~~

(S.R)

File No. 37

Serial Nos.

Later references.

S.R. 80-1894.
G.S. 22-186

89

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

M. ~~Part~~ B for Sept, 1895

SUBJECT.

Recovery of Todry arrears due to
Zellandar Jahagirdar and other Inamdars
from by R. C. Muddappa & Co.

AL 11 From
The Dy: Commr Bagalkote Dt
No. 387 Dt 14-9-1895
Reporting on the arrears of Todry
Revenue due from R. C. Muddappa

W D 88—GPB—50,000—24-7-16

Endsd
13/6/22

Q.7.3-92

G. R. S. IX-5]

Previous references.

S.R. 37-1891 ~~1892~~ 1893-94 ~~191~~ ! 94

S.R. 54-1892 (S.R.

S.R 55-92

Later references.

S.R. 80-1894.

S.R. 22-1886.

File No. 37 - 93

Serial Nos. 1 to 11.

89

GENERAL AND REVENUE SECRETARIAT

Serial Nos.

M . ~~Part~~ B for Sept, 1895

SUBJECT.

Recovery of Todoy arrears due to Yellandur Jahagirdar and other Inamdars from by R. C. Muddappa & Co.

11. From The Dy: Commr Tuyapore Dt No 387 D/ 14-9-1895 Reporting on the arrears of Todoy recovered due from R. C. Muddappa

W D 88—GPB—50,000—24-7-16

Inwards 13/6/95

Revenue Secretary's Office

Office Note

Subject: Arrears of Toddy Revenue due to the Jahagirdar of Yelandur and other minor Inamdars by R. C. Muddappa & Co. Toddy Contractors, Mysore District

L. Q. 37-93

Last Reference Letter No. 1243 dated 7th/9th May 1895.

From Dy Comr. Mysore Distt.-

(1) In Govt Proceedings No. 9020-3 / R.T. 223-92 of 11th Dec: 1892, para 14, the arrears of Toddy Rev. due to the Jahgirdar were decided. The particulars are given in Proceedings No. 17400-1 / R.T. 223-92 of 14/4/94, para 1.

vide Proc No. 17400-1 / R.T. 223-92 of 14/4/94

(A) Due from Davey Muddappa & Co. amount Rs 11,838-11-10

(B) (1) R. C Muddappa & Co. 18,180-0-0 Interest at 6% from 1 Dec 89

4,545-0-0 — Do — 1st Jany 96

(2) Due from R. C. Muddappa & Co for 6 mos from 1st Oct: 89 to 31st March 90 — £ 545-0-0

Total (B) 27,270-0-0.

Deduct payment made as per Dy Comrs Letter No. 1422 Dt 22/6/94 No I (2) — 24,563-11-10

Balance (B) 2906-4-2

Add interest due up to end of June 94 to Amount (B) — 15-30-14-1+ (2)

Vide Dy Comrs Letter No. 1422 Dt 22nd June 1894, Statement No. I (2).

Add interest due on (A) up to end of June 94 — 15,034-13-10

Do — Statement No. I (1).

Total 19,272-0-1

Add amt due to the Minor Inam. Pars — 9,034-2-3

Do Sl. II. y Br.

Total 28,306-2-4

Deduct payment made now by Mr Seshachellam Moodaliar as per Dy Comrs Letter No. 1243 Dt 7th May 95 — 10,897-13-5

Balance 17,408-4-11

2)

Brought forward Rs 17,408-4-11

Vide last order
* No 3463/5 of 25/8/94
Para 5

Vide last para
* Rs 8,305-8-10

Vide last para
* Rs 8,305-8-10

Balance Rs 9102-12-1.

Recommended from para 4 of the above letter

with further interest up to date of payment if not waived by Govt.

(2.) The Dy Comr may, if approved, be requested to explain how the sum of Rs 9102-12-1 has to be adjusted before the refund bill for Rs 8,305-8-10 can be sanctioned.

This closes the account between Govt and the Firm of Contractors separately and conjointly (X)

3. Now Holle Rangama, one of the partners of the ~~partners of the~~ Firm of Davy Middappa & Co, petitions to the effect that the Dy Comr of Mysore

(X) Vide Proc: No 3463-5- R.T. 3-92 of 25-/29th August, 1894, para 5.

of Mysore utilized in payment of dues from Messrs R. C. Muddappa & Co a sum of Rs 5344-2-8 which had been recovered from Chick-Mallia and deposited in the Distt Treasury towards payment to the ~~Managers~~ Minor Managers and attached his property in satisfaction of the arrears due from Davy Muddappa & Co. He therefore prays that the said amount viz Rs 5344-2-8 may be either deducted from the sum due by him on account of Messrs Davy Muddappa & Co, or that it may be realized from the amount recovered from Mr Seshachellam Moodaliar.

4. R. C. Muddappa also petitions to the effect that the amount due from him is only Rs 3619-2-3 Excluding

Rs

~~Rs~~ 8305-8-0 promised to be refunded by Govt, and that a sum of ~~Rs~~ 3841 is taken to account which is also overdue interest & which would have been avoided if the sum of ~~Rs~~ 4,215-8-6 which is still in deposit in the Distt Treasury had been utilized towards payment to the Jahgirdar, and prays that the said amount to be overdue interest viz Rs 3841/ may also be remitted.

5. This Office is not in a position to verify the Statements made by the two petitioners. If approved ~~they~~ Petitions may be forwarded to the Dy Comr for report.

[signature]

S. H. J.

A copy of this letter
must mean, I think,
be forwarded to
the Dy Comr with
a request that
he will go thro' it
carefully and
not only furnish
the explanation
required under
of the item of
Rs 102-12-
which seems
to call for an adjustment
of account ~~with~~
but also submit
a full report on
the matters referred
by Malte Nagama
& R-C- Mudduha-
The Dy Comr report
should be in such
a complete form as
should meet
& dispose of all
the matters which
form the subject
of this reference

Consult & the
3 Councillors
22-6-95

Yes
24/6/95

Agreed
24-6-95

7

To 3d. Commissioner
I think the Petn.
is entitled at least
to some such reply —
that presented by

L.C. 37-93 F

Order

The Dep. Comm. acting in terms
the private Sale of certain of
the attached property of
R.C. Moodaliar is approved

and the Dep. Comm.
is authorized to
issue in favour
of the purchaser
Seshachella Mudr.
the usual certificate of
such Sale, making
R.C. Moodaliar
to Sign the same
in token of his
being a party
to the Sale

the other property of
R.C. Moodaliar under
attachment shd be forthwith
released therefrom, it
being distinctly understood
that such release does not
release him (R.C. Moodaliar)
from his joint & Several
liability for the amount due
of arrears
to Govt.

30/7/95

6.8.95

Counsel not to be 3rd
Counsellor - The
Clerk was called for
the file & made
this order - He is
desirous of obtaining
that pending
the receipt of the
information already
called for, the
amount in
dispute should
be credited to
Govt & payment
made to the
Petitioner of
such amount
as he may be
entitled to
under the awards

L.

by [illegible]
Asst Secy

Appendix 11

The Yelandur Jaghire Loan Rec

The Jaghiredar vs the Contractor

This case No 4 of 1889/90

93

Dass Mudappa & Co. - Govt. Contractors for 1st April 81
to 31 March 87 - 6 yrs.

Jaghiredar claims.

Rs. 773.4.8. per month till 30 April '83

674. 13. 8. . . . till 31 March '87.

712. . . average per month.

Contractor's payments average

485. 9 - 2. per month as average

Deduct 5/285.6.2
Pd 349.61.4.2
16,324.2.0 — awarded by DC. on 14 Nov 87 Rs 11,838.11.10

Chick Papanna & Co.

Average rate paid by Dass Mudappa's predecessors Rs 586-2-10

Chick Papanna paid Rs. 533. when he went per mensem.

Actual receipts Dass 6 yrs in question avg Rs 438.

Gross Receipts — 91,507
Expenses — 7,352
Rent for 6 yrs Gross 42,273 at 485 a month as per accts. Vide D attached as his fair

7,200 — disallowed because Jaghiredar can be charged with it

Hd-Office charges
Loss in Chamraj nagar 7200 — disallowed as not proved

D.C. Calculation

Gross Rev 91,507

Rent for Grows. ~~49.~~ 42,273

Months 72 | 49,234

Rs 684 per mensem

Thirimé Gowda's Contract for 13 mos.

Rs 1255, Covering (including?)

rent for Grows in charming Muggs

& includes Mohatarfa

— (~~but only~~ Thirimé Gowda agrees other to take up & Shops which were dropped)

10 9. Deduct for included Inam Villages

Balance 1146.

485. Rent of Todds grows

661.

Amount for Rs 650. (including local Cess.)

for 6 yrs 4680.

abatement 3496 1. 4.2

Balance Due 11838. 11. 10. with interest 6% from 31 Dec 89

No memorandum. claim based on Code of Instructions calculated by Taylor & Co's Contract; & any which allow any memorandum of

(3)

(A) See Jagbandan letter Dy 19 April 89 filed in the record in Mis: case No 3 -
#4883-1-10 from Demerara to the period of 4 yrs 1½ mo
324-4-7 from Paramaribo " 1 yr 10½ mo

(B) 19 April 89 as aforesaid

C) Because these claims of Demerara & Paramaribo were not then decided - but pending

D) Letters were issued but not properly served - Cases have not been formally disposed of - but practically dismissed -

GOVERNMENT OF MYSORE

4

Misc. W. of 1889-90

Mrs. R C Mudappa & Co. - Govt. Contractors
from 1st April 87 to 31 March 90

Jagheerdar claims . 809-12-6 -

R-C Mudappa & Co's. immediate
predecessors Dass Mudappa & Co
adjudged to pay Rs 650 .

Dass Mudappa & Co's. immediate predecessors
Chick Pattanna & Co. paid. 533 i.e. Rs 15 less than
what the Jagheerdar claimed.

R-C-Mudappa & Co. paid nothing to Jagheerdar
agreed to pay Rs 750 -

Dy Comrs. calculation is as follows :-

award for Dass Mudappa & Co's Contract 1000 rent Rs 650
R.C. Mudappa & Co's. contract better by 1/3 485. 1135
add 1/3 of Rs. 215
1350.

of Rs 215 - 1/2 to Regent & 1/2 to rent.
∴ Jagheerdar shd. get 650 + 107½ = Rs 757½ per month

---

(4) Who were the Contractors from 1 April 76 to 31 March 81
What was their Contract amt?
& what did Each pay to the Jagheerdar ?

There were 2 Contracts between Taylor & Sons & Davis Mundappa & Co. for a period of 6 yrs. It seems Pachumeah took no agreements from and has lodged his claims after them. What A are these claims. When were B they lodged? Why is it impossible to apply (C) the rule of 5 previous years' average as Dc says?

(3)

Referring to this period Dc.
Average claimed 658. 8-1
average actually paid 586-2-10

How has this claim been disposed of?
(D)

25-3-92 hi

The Contracts to Taylor & Co. was given in 1870 at a reduction of Rs 3,000 — But Taylor & Co. gave notwithstanding such reduction an increase to Coondums of 20%.

Edwards & Co. Pay Rs Contract and Contract terminated on 31 Oct 1868.

Arunachallam. & Co.'s Contract and was Rs + 61,67[illegible]
but they gave no percentage increase to in Coondums

Taylor & Co's Contract and was Rs + 31,677
& they gave 20% to increase to Coondums as matters for grade.

Brown & Rucknuds claimed to pay Coondums,
as Edwards & Co. + proportionate increase

On referring to the record I find the following particulars regarding previous Contractors.

Name of Contractor.	Area of Contract.	Period	Contract amt.
Taylor & Co		5 yrs from 1 April 70 to 31 March 1875	
Brown & Co.			

From statements in the Inamdars' books for 9 years from 1 April 1866 to 31 March 1875 – Taylor & Co. paid for the Entire Taluka a yearly amount of Rs. 502-11-8.

From 1 April 82 to 31 March 90 – amt put down in statement as follows:–

Alakere	10-8-5½	as per muchalka & Kyfiyat B2
Kalakatti	17-14-6	Ky 83
Amble	19-5-11	These have been put down by manuk accy
Remainder of Rs	500	

Urgent

Section A. Q.
No 37-93 Yrs
Serial No 1

(27)

Rider

No. 17400-1 dt 14-4-94
R.F. 223-92 14.

The undersigned Inquiredars Todds accts stood as follows in accordance with the Dept Commrs decision Confirmed in the order of Govt 9020-3 RF 223-92 11 Dec 1892

	Rs	as	ps	
From Messrs Dawny Muddappa & Co from 1 April 81 to 31 March '87	11,838	11	10	with interest at 6% from 1st Jany. 90
From Messrs R.C. Muddappa & Co from 1st April '87 to 30 Sept 89.	18,180			with interest at 6% from 16 Dec 89
	4,545			with interest at 6% from 1 Jany. 1890
From D° for 6 months from 1st Oct 89 to 31 March 90	4,545			
	27240			

2 The Deputy Comr will be requested to submit immediately a Statement showing how much of the foregoing amounts

has been received & paid
& the Jagirdar, what
balance remains to be collected
& what steps are being taken /
to collect the same. and
The full satisfaction of the
decree as above shd be
effected at as early a date
as possible

The Dy Comr will also submit
a ~~fresh~~ another statement showing
the Tanka Rev due to the
Jagheers for the 2 years
from 1 April 90 to 31 March 92,
the parties responsible for paying
the same & the balance,
if any, still due, and
a third statement showing
similar information for
the subsequent period
from 1st April 92 up
to the latest date possible

by 12/4/94

14/4/94

To the Dy Comr Mysore &
Excise Comm in Mysore

29

(General Serial No. 30.)

1894

OFFICE OF THE DEWAN OF MYSORE
18016
7 JUN. 94
R 3724

Section
No
Serial No

Submitted for orders

From The Deputy Commissioner Mysore District.

L.A. 37-93-2

To *The Chief Secretary to the Dewan of Mysore.*

Dated 4th June 1894

Despatched

Received

Enclosures No. Two

General No.

No. 1353.

Submitting as called for, statements showing the amounts recovered from the several Toddy contractors and paid to the Jahagirdar of Gellandur. &c.

Yours
[illegible]

Deputy Commissioner's office,
Mysore District

No. 1353
Ec. 2

Dated Mysore, 4th June 1894.

From A.A-37-93-(29)

A. Rangasami Iyengar Esquire,
Deputy Commissioner,
Mysore District.

To

The Chief Secretary to the Dewan of
Mysore.

Sir,

× With reference to Government Proc.
× Retyp dl 27 No. 17400-1 / R.F. 223/92 dated 14th April 1894 calling
for submission of statements shewing
the amounts recovered from the several
Toddy contractors and paid to the Jaha-
-ghirdar of Yelandur, I have the honor
(No A) to submit herewith a statement
giving the details of the amounts due
and payments made to the end of March
1892 with explanatory remarks.

(No B) A separate statement is also
submitted in regard to the Toddy revenue

of the yelandur Jahagir for the subsequent period, viz., from 1st April 1892 to the end of June 1894.

I have the honor to be,
Sir,
your most obedt servant
N. Krishnaswamy
for Deputy Commissioner

Compd:

(No A.)

Statement shewing the amount of Toddy revenue due to the Jaghirdar of Yedenur.

For what period?	Name of Contractors	Amount of Decree			Paid			Balance			Remarks.
(1) From 1st April 1881 to 31st Mar. 1887.	Messrs Davo Muddappah & Co	11,838	11	10	—	—	—	11,838	11	10	Execution being taken against all the members as directed in G.O. No C.S.4-5 dated 11th April /94 (26) & file no 3 but no amounts have yet been paid up.
(2) From 1st April 1887 to 31st March 1890	Messrs R.C. Muddappah and Co.	27,270	—	—	24,563	11	10	2706	4	2	Has to be recovered from sale of Chickmuddappa's properties. But a refund bill for Rs 8305-8-10 in his favor is pending sanction of Government.
(3) From 1st April 1890 to 31st mar 1892.	Seshachala Mudaliar	11,250	—	—	11,250	—	—	—	—	—	This amount was not paid but payment thereof appears to have been made to the Jaghirdar direct by the Toddy Contractor Seshachala Mudaliar. No claim referred to this office by the Jaghirdar.
		50,358	11	10	35813	11	10	14,545	—	—	N.B. Interest on these amounts will be calculated and levied as directed by Government.

Dated Mysore 4th June, 1894

+ Leave 21 Vol. File no 3 Sep-93 Non-payment of Interest

Compd. ules.

N. Venkatarao
for Deputy Commissioner
Mysore District.

C.O. 37-93-94 18

Statement showing the amount of Tody Revenue realized and paid to the Jaghirdar of Yelandur & Inamdars from 1892 end of December 1893.

Period	Name of contractor	Amount realized			Amount paid			To whom	Balance			Remarks.
1892-93	Ramasamudram Krishnappa	7905	14	1	7150	-	-	Jahaghirdar of Yelandur	755	14	1	Held over for payment to Mellali and Alakere Inamdars situated in the Jahgir and Establishment charges.
1893-94, 5 months	Mr. V. Seshachala Mudaliar	10,157	-	-	5514	-	-	Do	4643	-	-	Of this, Rs 967/- represent the amount held over for payment to Alakere and Mellali Inamdars, and the balance viz,
		18062	14	1	12664	-	-		5398	14	1	Rs 3676 for two quarters ending 30th June 1891 to be paid to the Jaghirdar subject to final adjustment as per orders of Government.

Mysore, June 1894.

Certified that the entry includes not merely the amts due to the Jaghirdar but also the amounts due to Inamdars whose Inam villages are within the Yelandur Jaghir Taluk.

N. Krishnaswamy
for Deputy Commissioner
Mysore District

Compd. 13

(30.-1)

(General Serial No. 30.)

1894.

OFFICE 18900 25 JUN 94 R3941

From

The Deputy Commissioner Mysore District

Section A.Q.
No 37-93
Serial No 3
To

The Chief Secretary to the Dewan of Mysore.

Submitted for orders

G/ Clerk Inform of Dist. officer with in Bangalore by me 9/7/94

Dated 22nd June 1894

Despatched

Received

Enclosures No. two

General No.
No. 1422

Submitting certain information in re-arrears of toddy revenue due to the Yelandur Jahgirdars, and requesting early orders in the matter.

Vide Rs 3463-5 / RA 3-92 dt 25/8/94.

Rev 2576

Yes

26/6

Rd 9/7

No. 1422

Enclosures No. 2

DEPUTY COMMISSIONER'S OFFICE,
MYSORE DISTRICT,

Dated Mysore, 22nd June 1894.

J. A. 37-93-3 (30)

From A. Rangasamy Iyengar Esq B.A. B.L.
Deputy Commissioner,
Mysore District.

To

The Chief Secretary to the Dewan of Mysore.

SIR,

In continuation of my letter no: 1353 dated 4th instant in re- arrears of Kodagu revenue due to the Yelandur Jahagirdar, I have the honor to state that the amounts remaining to be recovered, as per government orders on the subject, are as follows:- (vide statement no: I for particulars).

~~Rs~~ 15,034-13-10 from Devy Muddappa & Co.

~~Rs~~ 4,234-2-3. from R. C. Muddappa & Co.

Total 19,272.0.1

II. Do the Government decide

decide that Local cess should be collected on Inam Toddy Revenue from 1881 to 1884, the former item will have to be raised to Rs 22,463-12-2 Besides the sum of Rs 4237-2-3, due to the Zelandar Jahgirdar, the sum of Rs 9034-2-3, is due from R.B. Muddappah and Company on account of arrears of Toddy Revenue due to Minor Inamdars. The total amount due from Chick Muddappa is thus Rs 13,241-4-6 (vide statement no: II). If however the Government are pleased to sanction refunds of Rs 8305-8-10, being over due interest paid by him on Govern-

22463-12-2
15034-13-10
7428-14-4

-ment

Government Khists, he will have to pay only Rs 4965-11-8. Orders were solicited in this office letter no: 1193 dated 24th March 1893 on these two items.

No 21
Dis
File 3 (92/3)

III Pending orders on this letter, execution has been taken out jointly against all the members of the firm, Mrs. Davy excepted. The Sheristadar of Mysore has attached the houses of Cheik Bammiah and Hatteh Rangamah and has applied for orders as to the sale of the same by public auction. The properties of Cheik Muddappa are also under attachment for these arrears as well as for the

the arrears against R. C. Mud
-dappah & Co.

I am unable to direct
sale of the properties in exe-
-cution until the question
about the Local cess and
over due interest are finally
disposed of, and beg there
-fore to solicit the favour
of very early orders in the
matter.

I have the honor to be
Sir
Your most obed.t Servant

Asstt. Commissioner
Depty Commissioner
Mysore District

Compd.
[illegible]

No. I.

(1) Amount due to Jahgirdar of Zelandur from Dany Muddappah and Co:-

Amount of Decree ——— Rs 11838-11-10
Para 92 of Pay Ls

Amount of interest at 6 percent per annum from 1st January 1890 to end of June 1894 (4½ years) vide Government Order no. 17400-1 R.H. 223-92 dated 14th April 1894: ——— Rs 3196-½-2½-3

Total Rs 15034-13-10

N.B. Amount of Rs 4428-14-4 due to Government on account of Local cess on Paddy Revenue paid to Inamdars from 1881 to 1889 has not been changed in this amount pending orders on this Note no: 1193 dated 24th March 1893. If this has to be collected, the total claim would be Rupees ——— 22463-12-2

† Remitted Govt. No. 3463 Dtd. 8-5-1894

Sl. no 34

No. I.

(2).

Amount due to Jahgirdar of Yelandur from R. C. Muddappah and Co.

Amount due as per decree —	Rs	24240-0-0
Deduct recoveries and payments to end of August 1891 to the Jahgirdar of Yelandur.		24563-11-10
Balance —	Rs	2406-4-2.
Interest at 6 percent on amount awarded i.e. on Rs 18180/- from 16th December 1889 to end of July 1890 —	Rs	681-11-6
Do — Do — on Rs 4545/- from 1st January to end of July 1890.	Rs	159-1-2
Do — Do - on balance of Rs 2406-4-2 from 1st April 1890 to end of June 1894 at Rs 13-8-6 per month.	Rs	690-1-6.
Total	Rs	4237-2-3.

Deputy Commissioner
Mysore District

Compd:
ulu.

No: 11

Amount required to settle dues of ~~Ditrict~~ Zamindars in addition to amounts already recovered and in deposit in District Treasury. — ~~Rs~~ 9034-2-3.

Amount due on account of Jaheendar of Zalandur. ~~Rs~~ 4234-2-3.

Total ~~Rs~~ 13241-4-6.

N. B. Muddappah has applied to Government for the refund of ~~Rs~~ 8305-8-10, paid by him from time to time, on account of overdue interest on Toddy Shops and the matter was reported to Government in this office no: 1193 dated 24th March 1893. If his prayer be granted the amount due from him will be only Rupees. 4,965-11-8.

A Ramaswamy
Deputy Commissioner
Bijapur District

Copied

34

Section A. a.

File No 37-93.

Serial No 4

Govt Proceedings

No: 3463-5 dt 25/9/94

R.T. 30/92

Read again, Govt Progs:
No 17400-1/97223-92 dated 14 August 1894
calling for certain inform-
ation relating to Toddy
Revenue dues of the Yel-
landúr Jaghire.

Read letters from the
Dy. Commissioner, Mysore
No 1353 dated 4 June 1894
& No 1422 dated 22 June 1894
furnishing the information
and submitting points
for orders.

Read Petition Regd
No 75 dated 9 July 1894
from R. C. Mudappa
representing what payments
have been made and
asking for time for
payment

(34)

payment of remainder.

Order No 3463-S^dt 25.8.92 / 29.8.92

With the letters read above, the Deputy Commissioner Mysore District, submits information regarding amount of Toddy Revenue payable to the Jaghirdar of Yellandur from 1881-82 to 1893-94, and solicits instructions on certain points connected with the recovery of arrears due from Davy Mudappa & Co and R. C. Mudappa & Co, both on account

of

of the Yellandur Jaghir-
dar and of Government.

2. The statements
annexed to the Deputy
Commissioner's first letter
shows that out of
Rs. 68421 -9-11 due to
the Jaghirdar, Rs. 48477 -11-10
have been paid and
Rs. 19943 -14-1 have yet
to be paid. These amounts
do not include the
interest awarded in
the decrees against
Davy Mudappa & Co
and R. C. Mudappa
& Co and apparently
include

of the Jaghirdar's letter

21

include for 1892-94, amounts appertaining to certain Inam villages comprised in the Yellandur ~~Jaghire~~ Taluk which are payable not to the Jaghirdar, but to the Inamdars concerned and which have been excluded in the figures taken for 1881-90 and probably also for 1890-92. The ~~the~~ figures should be revised and correct figures to represent the account of the Jaghirdar should be furnished

As to

3. ~~The Deputy Commr.~~ ~~asks for explanation~~ ~~instructions regarding~~ the Local Fund Cess payable to Government on Inamdars' Toddy Revenue, ~~He~~ the Dy Commr reports that Rs: 4428-14-4 is the amount due at 1 anna per Rupee on Rs: 1,18,862 odd paid by Davy Mudappa & Co in 1881-87 to Inamdars direct. The Deputy Commr has not reported what the amount is on Inamdars' Revenue paid

or

or payable through Govt
being amount decreed
in cases of dispute decide
by Government or Govt
Officers. It appears how-
ever from the Deputy
Commissioners report
that Rs. 1749-2-5 is the
amount of Local Cess
on ~~Inamdars' Peasants~~ such amounts
Peasants ~~which~~ as remained unpaid
in July 1892 (viz. Rs. 23106
awards made, and
Rs. 4880 awards under
adjudication.) ~~With~~ But
~~reference to this subject~~
Govt observe that
the Local Fund Cess
is really payable by
the Inamdars themselves
and

Whatever the
exact amount
may be

and it is as a matter
of convenience & collec-
-tion that the Govt
Contractor has been
required to pay it to
Government and rebench
it from his payments
to the Inamdars con-
cerned - But the orders
to this Effect contained
in the late Chief Comr's
Proceedings No 2435 R 21
dated 19 June 1875
were for a series of
years overlooked in
the Mysore District
and it was not till
~~long~~ Sometime after Davy Mudappa
& Co's

31

Co's contract expired, that the error was discovered and steps taken to rectify it. The Contractors themselves were ignorant of the orders and it is difficult to ascertain at this distance of time, whether in case of payment made by them to a Inamdar, the amount paid was the gross Rental including Local Fund Cess, or net exclusive of it. Under such circumstances, the Govt are pleased to direct that the demand for Rs. 4,428-14-4 of Messrs Dang Jr & Co be abandoned

abandoned altogether.
In the case of payments
made by R. C. Muddappa
& Co to Inamdars direct,
it is understood that
Local Fund Cess has
been ~~retained by them~~
~~and~~ paid to Govt. In
cases of dispute in the
Mysore District which
have come up before
Government or Govt
Officers & awards have
been made, the awards
include the Local Fund
Cess. ~~Heretofore~~, as
ordered in this Office
No 3603
27-3-92 & 7th Apl 92

(vide para 6 of
Mr Markley's
letter to Excise Co
No 2781 & 10
Nov 1890)

Such inclusion of local cess
in the award on
receipt is indeed a
natural presumption in
the absence of any
Contract to the Contrary
between the
Contractor & Inamdar
under such circumstances

~~the Deputy Commissioner~~

~~will deduct the sum~~

~~of Rs. 1749-2-5 alluded~~

~~to in his letter No 1193~~

~~dated 27 March 93 from~~

~~the~~ Rs: 27,986-6-10, ~~on~~

~~which they are calculated~~

~~and only disburse the~~

and ~~pay~~ the paid

remainder to the Inamdars

Concerned

4. The order of 19 June 1875 requiring the Contractor to pay the local Cess direct to Govt was merely an arrangement of Convenience. In the absence of any special Contract to the Contrary, the liability for local Cess on the Inamdar must discharge his liability to pay local Cess, by making over to Govt. 1/17th of the payt. the receives from the Contractor -

I do not any longer apply to the present System - and hereafter under this System the payt. rec^d by Govt in respect of an Inamdar's lands Rec^d be subjected to a deduction of 1/17th on acct of local Cess & the remaining 16/17th paid to the Inamdar -

local Cess Rec^d be Calculated on, & deducted from, the Amt. of Awards, namely -

5. The Deputy Commr submits a refund Bill for sanction for the refund of Rs: 8305-8-10 being the amount of interest on late Khists retrenched from payments made by R. C. Mudappa & Co and credited to Government. In his first

first representation to Gavernment on this point. Chik Mudappa stated that Rs: 1683 odd was the amount of Interest and he asked that this may be remitted. Remission was sanctioned in Order No: 3603 B.A. 3-72 dated 7 Sept 72. But Chik Mudappa has been subsequently representing that the amount was by a mistake considerably understated by him, ~~by a mistake~~, that there was no demand for interest outstanding for Remission

4/.

remission, but that it was a refund of interest already credited to accounts, that he begged for as a matter of grace and Concession, in view of heavy losses sustained by him. [On this, it was stated in Progs: No 13523 dated 13th Febry 1893, that the Diwan will be prepared to accord favorable consideration to the prayer in question on receiving from the Deputy Commissioner a report that all arrears except to this extent have been recovere

(Pro 1019 not 1069.)

P. 1069

2. X

X

recovered without further
resort to co-ercive
measures." These orders
are now repeated for
the Deputy Commrs
guidance. N.B. No remission
can be sanctioned ~~except~~
except at the same time
the whole arrear can be wiped off. —

24/8/94

23 Aug 94

To the Dy Commr Mymensingh
The Revenue Commr
Chittagong Division (Echachomukhong para 2.)

Office
after despatch
this to be sent

1893
MAY 95
Q 4208
DEWAN OF MYSORE

From

The Deputy Commissioner,
Mysore District.

Section A. a. To
File No 37-93
Serial No 4. (a)

The Chief Secretary to the ~~Dewan~~ Govt of Mysore.

Dated 7th
Despatched 9th } May 1895
Received

Enclosures No./

No. 1243

Arrears of Toddy revenue due by Chik Muddappa.

Reports on ———.

Rev (Ex) 11/5

13/5 Rep

Submd

Reference to Govt. if any.

Submitted for orders

Kd 17/5

15/5/95 Ep

No. 1243
Enclosures No.1

DEPUTY COMMISSIONER'S OFFICE,
MYSORE DISTRICT,
Dated Mysore May 7th 1895.

A.R. 37-93-4(a)

From A. Rungasami Ayengar Esqr. BA. BL
Deputy Commissioner,
Mysore District.

To
The Chief Secretary to the ~~Devan~~ Govt of Mysore.
Bangalore

SIR.

With reference to para 5, of Govt Proceedings No. 3463-5, dated 25th/29th August, RF. 3-92 1894, viz. the arrears of Tody revenue due by Chick Muddappa, I have the honor to state that a total sum of Rupees 10,897 has been recovered as per margin, leaving a balance of Rupees 8305 for which a refund Bill has been already submitted to Government. Chick Muddappa, failed in the first instance to pay up this amount and some of his properties under attachment for the arrears, were put up for sale, on the 21st March last, but as he subsequently arranged with Mr. Shesha Chellam Modaliar, for payment of the balance of his own account. (Exclusive of the amount of the refund Bill viz Rupees 8305-8-10), and as the sale held on the 21st March, by the Treasury Sircar, under my orders were low, I cancelled the sales and accepted the amount offered by Shesha Chella Modaliar, in adjustment of Chick Muddappa's account (vide

Copy

Rs 3413-4 "from Chick Muthyal, Shetty on 24 November 1894
Rs. 7228-do from Mr Sheshachel-lam Modeliar on 4th April 1895
Rs 256-13-5. From Ditto on 13 Do.
10897-13-5.

Copy of order dated April, 1895, enclosed. I have placed the whole amount recovered, viz: Rupees 10,897-13-5, in deposit in the Treasury, pending orders of Government as to the refund in question.

I have the honor to be
Sir
your most obedient Servant.

Asstg
Deputy Commissioner
Mysore District

MM

Compld:
Mly.

A. R. 37-93-4

Read:—

Petition from Chick Muddappa, dated 2nd April, 1895, praying that the properties mentioned therein, may be transferred to V. Sheshachellam Modaliar, for a sum of Rupees 7228, being the balance of Coddy revenue, due by him, and M^r V. Sheshachellam Modaliar's acceptance of the proposal, endorsed at foot of the petition.

Read letter No. 292, dated 25th March, 1895, from the Treasury Officer, Mysore district, reporting upon the results of the Sale of Chick Muddappa's properties, held on the 21st March. Read also, the other papers, and petitions in connection with the arrears due by Chick Muddappah.

Order

The report shews that the following properties were put up for Sale, with the results noted against each.

	Estimated value	
1. A. Tiled & double storied house and Bungalow in Krishnaraja mohalla.	Rs 5000	no bids received.
2 A. Mango and Cocoanut ⅓ garden consisting of 13 Survey numbers in the Mysore Hobli.	Rs 12000	Do.
3. A. Bungalow with Compound in Lashkar mohalla	Rs 5000	Highest Bid Rs 550.

		Estimated Value	Highest Bid
4. A. Terraced and Mangalore tiled coach house, and Stable attached to No: I.		Rs 1500	Rs 650.
5 Wet lands & survey No: 55. A. G. 5 8 in Harcohalli Vara		Rs 520	no bid
Kodi Hobli	A. G.	Rs 520	Rs 275
6. Do no: 551	5 - 8.		
7. Do no: 553.	4 - 21	Rs 450.	Rs 260.
	Total	Rs 24,990.	Rs 1735

Of the Seven properties put up for Sale, Nos: 1 and 2, which are very valuable, failed to realize any price. No: 3, a Spacious Bungalow with Compound &c and No: 4, a Substantially built Coach house, both fetched very low prices. No: 5, a Paddy field, was not bid for at all, and only 2 Nos Paddy fields nos: 551 and 553 have fetched any thing like a price. There were it would appear, only a few present to bid at the Sales, and Mr. Krishnaswamy, who conducted the Sale, has also reported that owing to a rumour which prevailed that the properties were heavily encumbered, the Sales were not popular. It is evident that there was hardly any competition, and there is reason also to Suspect Combination among those present who were all more or less relatives of the defaulter. Moreover, the properties exposed for Sale, formed only a portion of the properties under attachment for the arrears.

A confirmation of the Sales.

under

under the above circumstances, does not seem to be justifiable, and they are hereby cancelled. The offer made by Mr. Shesha-. chellam Modaliar, to deposit in a lump sum the whole of the arrears due by Chicka Muddappa, and to take a transfer of some of his lands in return, will now be considered. He proposes to pay up Rs 7228, as the price of the lands referred to in the petition, which includes the lands already put up for sale, and others under attachment for the arrears. The amount offered, fairly represents the market value of the properties concerned, and it does not appear likely that even in a properly conducted Sale of them by public auction, they will realize a much better price. The offer of Mr. Sheshachallam Modaliar, will therefore be accepted, and the properties made over to him, so far as this office is concerned on payment of the sum of Rs 7228, inclusive of current interest x up to date. A report will be submitted to Government accordingly.

× 256-13-6.

7484-13-5

/ Sgned / A. Ramgasamengar
Deputy Commissioner
Nuggenhalli

Copy

A Rangnamengar
Deputy Commissioner
Nuggenhalli

Compd:
Mg.

(42)

Section A. C.
File No 37-93.
Serial No 5

The Deputy Comr
Guntur Distt.

Dy 25th June 95

No 24652 / R-7. 3 of 92-93 dt: 3.

His letter No 1243 Dy 7th May 95 reporting upon the arrears of Toddy Rent due by Chick Ruddappa.

In forwarding a copy of a note prepared in this office, I have the honor to request that the Deputy Comr will be good enough to go through it carefully and not only furnish the explanation required in respect of the sum of Rs 9102-12-1 which seems to be still due in adjustment of the account, but also submit a full report

On the petitions presented 48
~~to this office~~ by Kolle Rangamma
and R. C. Buddappa
on the subject dated
respectively 15-th & 11-th May/95,
which are herewith for
~~w~~ warded.

2. The Deputy Comrs
report should be in such
a complete form as to
enable the Govt to dispose
of all the matters which
form the subject of this
reference.

B. O.

25/6/95

Rev: Secy

~~Secy~~
S. M.
25/6.

No. 43
Enclosures No. 1

(43)

DEPUTY COMMISSIONER'S OFFICE,
MYSORE DISTRICT,

Dated Mysore 10th July 1895.

Section A. C.
File No 37-93.
Serial No 6

Fro

The Deputy Commissioner,
of the Mysore District.

To

The ~~Chief~~ Revenue Secretary to the ~~Dewan~~ Govt. of Mysore.

SIR,

With reference to your Docket No. 24652 / R.F. 3-92 dated the 27th June 1895 anent the arrears of Jodi revenue due by Chik Muddappa, I beg to state that the petition of R. C. Muddappa received with it is dated the 6th July 1894 and not 11th May 1895 as stated in it. It is forwarded herewith for reference and kind return if it is the same as that intended to be referred to in the docket under reply. If however a separate petition was intended I beg that it may be sent.

Sent back under wrapper

I have the honor to be
Sir,
Your most obedt Servant

Deputy Commissioner
of the Mysore Dist.

MM

43

REVENUE DEPARTMENT
Gl. No. 245
No. Ex-6
1895
DEWAN'S OFFICE

From

The Dy Commissioner of the
Mysore District

To

The Revd. Secry to the Govt of
Mysore

Dated 10th July 1895
Despatched
Received

Enclos: No 1

General No. 43

Forwarding for reference &
kind return petition of R.C.
Muddappa dated the 6th
July 1894. —

Rev - Excise
VL
12/7/95

References puted.

DBL
15/7

Sd/- with the petition

KL
15/7

(215)

Section A.Q.
File No 37-93
Serial No 7

The Deputy Comr
Mysore Distt.

Dy 19 July 95

No 956
En 26

En: 1

His letter No 43 Dy 10th Inst.

Is requested with the above, has the honor to forward herewith petition Dy 11th May 95 from K.C. Muddappa, late Toddy Contractor, on the subject of the adjustment of the arrears of Toddy Rent due from him.

B.C.
19-7-95
Rec'd

S.A.
17/7

(46)

43

Read – Letter no 1243 of 7th May 95 from the Dy Commr Mysore Distt, reporting forwarding copy of his order with regard to the recovery by private sale of certain properties of the arrears of toddy revenue due by R. C. Mooddappa & Co and reporting that pending Govt order, the amount realized viz Rs 10,897-13-5 has been held in deposit in the Treasury.

Section L. A.
File No 37-93
Serial No 8

Order No 15-23-4 Ex 44

Dy Bangalore 6th August 95.

The Dy Commr's action in permitting the private sale of certain of the attached property of R. C. Mooddappa is approved and the Dy Commr is authorized to issue in favor of the purchaser, Seshachala Mudaliar the usual certificate of such sale, making R. C. Mooddappa

do
to sign ~~to sign~~ the same in
token of his being a party
to the sale.

2 The other property of R.C. Moodappa
under attachment should be forthwith
released therefrom, it being dis-
tinctly understood that such
release does not release him
(R.C. Moodappa) from his joint
and several liability for the
amount of arrears due to Govt.

3 Pending receipt of the informa-
tion called for in Govt. order No.
24652
~~R7 30f~~ of 25th June/93,
R7 3 of 92-93
the amount in deposit should be
credited to Govt. and payment
made to the Jahagirdar of such
amount as he may be entitled
to under the awards.

6/8/95
Rev Secy.

To
The D.Y. Commr. Mysore Distt
" Comptroller.

D.O.M.
S.R.J.

Lo (49) 45

The Dy. Commr
Impure Dist to
✓
2 65-1 d/4/9/95 h 5
Ex. 71.

Section A. Q. No
File No 37-93 Dated August 1895
Serial No 9

In forwarding herewith for reference and early return petition dated 22nd July 1895 together with its enclosures received from Seshachela Nodu has the honr to request that ~~early submission a report~~ the Dy. Commr will be good enough to report whether he has not yet issued a sale certificate in favour of the petitioner as directed in Govt proc No 1523-4 Ex. 44 dated 6th August 1894 and if not whether it is true that owing to sales, impunction &c. the issue of a certificate has become impossible as alleged by petitioner.

B O
4-9-95
Rev Secy

30/8 S.N.

Encl. in Enquiry No. 387
of 14/9/95
8/10/95

Received from the Camp
10/10/95

REVENUE DEPARTMENT
Gl. No. 2267
1893
Ex. 146.
18 SEP. 95
DEWAN'S OFFICE

From

The Deputy Commissioner,
of the Mysore District.

Section S. A.
No. 37-93
Serial No. 10

To

The Chief Secretary to the Govt. of Mysore.

Dated 14th
Despatched } September 1895
Received

Enclosures No. Petition with its 5 enclosures

No. 382

States that a Sale Certificate has been granted to V. Shashachellum Mudali for the lands of Muddapla sold to him &c.

Exd 17-9-95

(52)

No. 382
Enclosures No. Petition with its 5 Sn -

DEPUTY COMMISSIONER'S OFFICE,
MYSORE DISTRICT,
Dated Mysore 14th September 1895.

A.Q.37-93-10

From

The Deputy Commissioner,
of the Mysore District.

To

Revenue Government
The ~~Chief~~ Secretary to the ~~Dewan~~ of Mysore.

SIR.

With reference to your docket
Expd on 5/9/95 No: 2651/71 of the 4th September 1895, en-
-quiring if a sale certificate has
not been granted to V. Seshachellum
Moodaliar for the lands of R.C.
Muddappah attached, sold to him on account
of the arrears of toddy revenue due
from R.C. Muddappah, I beg to state
that the purchaser has been asked
to come up with the required stamp
paper, and that as soon as he turns
up, the sale certificate will be issued
to him.

I

2. No injunction has been received here from any of the civil courts about the lands in question. The petition and its enclosures, received with the docket under reply, are herewith returned.

I have the honor to be,
Sir,
Your most obedient servant,

Dy: Commissioner
of the Mysore District.

Compd.
MN

Register
No. 22 of 95

Regd No 64
22-7-95

Dated the 22nd day of June 1895.

Revenue Appeal No of 1895-96

A. Q. 37-93-17

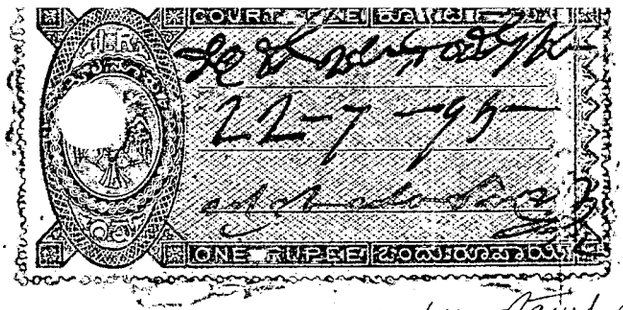
Before
Her Highness
The Maharani
Kempananja
Mani Vani Vilas
Sannedhanna C I
Queen-Regent of
Mysore
in Council.

V. Sashachellum
Moodelliar — Appellant

Petition of
Appeal

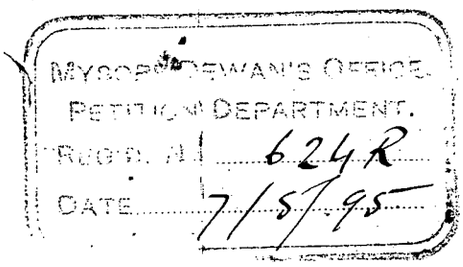
and Counsel for Appellant

To 624



one rupee Stamp a/p

Her Highness
The Maharani
Kempananja Mani Vani
Vilas Sainedhana C.I.
Queen-Regent of Mysore
in Council
Bangalore.



V. Sashachellum Moodelliar
Toddy Contractor, residing in Sa-
-shachellum Moodelliar Street, Cant
and Military Station, Bangalore ——— Appellant.

It Please Your Royal Highness in Council

The Petition of V. Sasha-
chellum Moodelliar above-
named ———

Most Humbly and Respectfully Sheweth:—

——— That Your Petitioner craves leave to approach Your Royal Highness in Council by appealing against the Endorsement (by way of an Order) of the Deputy Commissioner of Mysore on the Revenue Side, bearing date the 5th. day of July 1895 (Vide Order in Canarese on the last page of the Authenticated Copy of the Petition hereunto annexed and marked with the letter A) ———

II ——— That Your Petitioner further craves leave to submit the following for the favorable consideration of Your Royal Highness in Council:—

——— (a) That one Chicka Mudappa was a Toddy Contractor under the Mysore Government and became a defaulter in the matter of payment of monies (arrears) due to the Government in respect of his Toddy Contracts;—

——— (b) that thereupon the Deputy Commissioner—

Commissioner of Mysore attached certain immoveable properties belonging to the said Chicka Mudappa for the recovery of the said arrears due by him, and the said properties were duly advertized for Sale (Vide Mysore Gazette of the 25th day of August 1892 Part II pages 877 to 885);

(c). That thereupon the said Chicka Mudappa proposed to sell to Your Petitioner four of the properties (from and out of the properties attached by the Deputy Commissioner as aforesaid) with the consent and approval of the Deputy Commissioner of Mysore on the condition that Your Petitioner deposited with the Deputy Commissioner of Mysore the sum of arrears due at the time to the Government by the said Chicka Mudappa;—

(d). That thereupon the said Chicka Mudappa and Your Petitioner did jointly on the 3rd. day of April 1895 present to the Deputy Commissioner of Mysore a Petition (Vide True copy thereof hereunto annexed and marked with the letter B);

(e). That in the said last-mentioned Petition Your Petitioner had agreed to deposit the sum of ~~Rs~~ 7200/- (the sum said at the time to be due in arrears to the Government by the said Chicka Mudappa) if the said four properties therein specified and particularized and agreed upon to be sold and conveyed to Your Petitioner, should be transferred to his (Your Petitioner's) name and the necessary Sale Certificate should be granted to him (Your Petitioner);

(f). That at the time it was understood and agreed upon by and between the

the said Chicka Mudappa, Your Petitioner and the Deputy Commissioner of Mysore (and as the Order bearing date the 1st. day of June 1895 and the Receipt bearing date the 4th. day of April 1895, and hereinafter referred to, will go to prove) that in the event of Your Petitioner depositing the said sum of Rs 7200/-, the said properties would be transferred to his (Your Petitioner's) name and that the Sale Certificate therefor would be granted by the Deputy Commissioner of Mysore to Your Petitioner, and that, only after these preliminaries had been effected, would the said money in deposit be credited to Government;

(9). that accordingly on the 4th. day of April 1895 Your Petitioner was called upon to deposit with the Deputy Commissioner the sum of Rs 7228/- which was done and a Receipt granted therefor (Vide Receipt in Original hereunto annexed and marked with the letter C');

(h). that subsequently on the 13th. day of April 1895 Your Petitioner was called upon in the above connection to make the further deposit of the sum of Rs 256-13-5, which was done;

(i). that on the said 13th day April 1895 Your Petitioner was further called upon to produce and submit a General Stamp Paper of the value of Rs 75/-, in order, as it was at the time understood, to enable the Deputy Commissioner of Mysore to grant to Your Petitioner the

the necessary Deed of Sale of the said four properties and as was agreed upon as aforesaid, and thus stamp paper was accordingly purchased by Your Petitioner and duly delivered on that date to the said Deputy Commissioner's Revenue Sheristadar;

(j). That Your Petitioner had ever thereafter received the Sale Certificate, although he had frequently in the interval submitted Petitions to the Deputy Commissioner of Mysore requesting the delivery thereof;

(k). That finally, on the 1st day of June 1895 Your Petitioner had received from the then Deputy Commissioner of Mysore an Order to the effect that in the event of certain proposals made by that Officer to the Government being approved of the said four properties would be sold by Revenue Sale and be knocked down to Your Petitioner for the amount deposited by him as aforesaid (in the event of there being no higher bid) and that a proper Sale Certificate would be granted to Your Petitioner: but if this could not be done, then and in such case the monies deposited by Your Petitioner would be returned to him. (Vide Authenticated Copy of the Order hereunto annexed and marked with the letter D);

(l). That, not having heard further, in the matter Your Petitioner was induced, on the 4th. day of July 1895 to submit a Petition to the present Deputy Commissioner of Mysore (Vide Authenticated Copy of the Petition hereunto annexed and marked with the letter A);

(m).

(m) that the Endorsement, by way of an Order, on the said last-mentioned Petition, is the Order against which Your Petitioner now begs to submit this his Appeal.

III That Your Petitioner begs to prefer this his appeal against the said Order on the following grounds, namely:—

First- that the said Order is arbitrary and illegal;

Secondly- that the said Order is opposed to the facts of the case, and as hereinbefore set forth;

Thirdly- that no such private arrangement, as is referred to in the said Order, was ever entered into: the proposal to purchase, and the terms of the purchase were entered into as between the said Chicka Mudappa and the then Deputy Commissioner of Mysore of the one part, and Your Petitioner of the other part, and as hereinbefore set forth;

Fourthly- that the monies were not paid, but deposited, by Your Petitioner, and as is evidenced by the Receipt marked with the letter C;

Fifthly- that no such information (and as is referred to in the said Order) was ever vouchsafed to Your Petitioner by the then Deputy Commissioner of Mysore, and as is apparent by the terms of the Order marked with the letter D);

Sixthly- that what are termed facts in the said Order are wholly opposed to the real facts of the case as evidenced by the papers on record;

Seventhly- that Your Petitioner begs respectfully to submit that he is legally and equitably entitled to interest after the rate of twelve per centum per annum-

annum on the aggregate sum of Rs 7484-13-5, deposited by him as aforesaid;

Eighthly. That it is not possible and to sell and convey the said four properties to Your Petitioner inasmuch as the same have been attached and are being sold by Revenue Sale for arrears of assessment.

IV That for the reasons as above set forth Your Petitioner most humbly and respectfully prays that Your Royal Highness in Council may be pleased:

(a) to admit this his appeal, and to call for the records;

(b) to set aside the Order of the Deputy Commissioner of Mysore dated the 5th day of July 1895 (A);

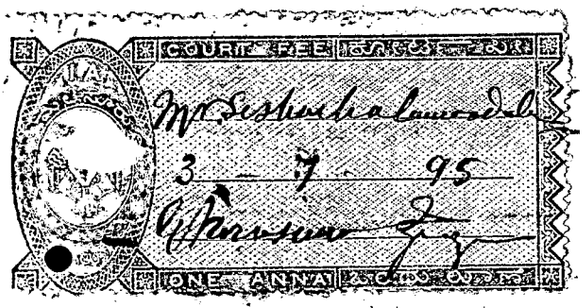
(c) to direct the Deputy Commissioner of Mysore to refund the said aggregate sum of Rs 7484-13-5, together with interest thereon after the rate of 12 per centum per annum from the 4th day of April 1895.

And Your Petitioner Shall As In Duty Bound Ever Pray.

K. Krishnaswamy Iyer
Barrister at Law and
Counsel for Appellant.

Washabdeen for
Petitioner
(Appellant)

Dated Bangalore the 22nd day of July 1895.



54

A

R & P no. 3

A. A. 37-93-10

To

The Deputy Commissioner
Mysore District.

The humble Petition of V. Sashachellum
Moodliar, Toddy Contractor
Mysore

Most Respectfully Sheweth

That on the 4th day of April 1895 he had deposited with the Revenue Sheristadar, Mysore District the sum of Rupees 7228-0-0 towards payment of the value of lands proposed to be purchased by him (V. Sashachellum Moodliar) from and out of the properties of Chicka Muddappa under attachment for toddy arrears and the said sum was accordingly remitted to the Treasury on that date.

II That subsequently on the 13th day of April 1895 he was called upon

upon to deposit the further Sum of Rs. 256-13-5
as also a General Stamped Paper of the
value of Rupees 75/- in order to the preparation
and grant of a Sale certificate of four
pieces of Wet Land belonging to the said
Chicka Muddappa.

III That altho' he had
since the above dates frequently petitioned
the then Deputy Commissioner to grant
him the Sale certificate his request
was not complied with.

VI That finally on the 1st
day of June 1895 the then Deputy Commissioner
had passed the following Order

"If the Government approves of the"
"proposals made by me the lands
"will be sold by Revenue Sale and
"knocked to him for the Amount
"offered by him, if no higher bids
"are received, and a proper Sale
"certificate will be issued to him.
"If there be any hitch in this the
"money will be returned to petitioner."

V That he now begs to bring
to notice that, of the four pieces of wet
land proposed to be sold to him certain
portions thereof have now been sold by
the Government for arrears of Assessment
and certain other pieces of the land under
attachment

attachment have been advertized for sale by Government in order to recover the arrears of Kundaigeum.

VI. That further the District Judge of the Ceshtagram Division has, by an injunction in Misc. No. 244 of 1894-95 prohibited the said Chetia Muddaliar from selling or alienating his lands or any portion thereof.

VII That under the circumstances as above set forth it is not possible that a sale certificate can in the terms originally proposed and agreed upon be granted to him.

VIII Wherefore he most humbly and respectfully prays that your Honor may be pleased

(a) to direct the immediate payment to him of the sum of Rs 7484-13-5 deposited by him as aforesaid and also

(b) to direct that the value of the General Stamp paper (namely Rs 75/) less one anna per Rupee be paid to him, inasmuch as there is no further use for the said Stamp Paper

And will ever pray.

Most Respected Sir,
Your Most Obedt. Servant.

V Sashachellam

Singapore
4th July 1895

P.J.No:3 55

R 7484-13-5

B.

To

A. Rungasamy Iyengar Esqr. A.Q. 37-93-10

Deputy Commissioner

Mysore District

Sir,

In continuation of my letter dated 24th March last stating that M. Shashachellam Modeliar had undertaken to pay on my behalf the arrears due by me to Government, I beg to bring to your kind notice that in consideration of his paying viz. Rupees 7200 the amount, I have this day sold to M. Shashachellum Modeliar the properties hereinafter specified below, and to solicit the favour of your transferring them to him with the usual Sale Certificate.

Out of the 7200 Rs which M. Shashachellum Modeliar owes me, the principal may be credited to Government and the balance being interest held in deposit in my name as per my letter of the 24th March 1895 pending orders of Government for its remission. I humbly request that you will kindly be pleased to make your recommendation in the matter.

(signed) C. Mudappa.

I agree to pay the 7200 Rs. if the properties named above which have been sold to me, be transferred to my name and the necessary certificate granted.

(sd) V. Sashachellum Mod.s.

Mysore
2nd April 1895.

"True Copy"

V. Sashachellum

A.Q. 37-93-15
37-93-10

5-4

Received from Ipondrokan on account of M.V. Sheshachellam Mudaliar Rupees 7228 (Seven thousand two hundred and Twenty Eight only as a deposit towards payment of the value of lands proposed to be purchased from the properties of Chick Mudaliar under attachment for Toddy arrears, and permitted by the Treasury on this date.

By order
M.G. Krishniengar
Revenue Assistant

Mysore
4th April 1895.

4/4/95

Here - Court fees Stamp
worth 8 annas

D 58

[illegible]

[illegible]

[illegible]

by him, if no higher bids 59
are received, and a proper
Sale certificate will be
issued to him. If there be
any hitch in this, the money
will be returned to petitioner.

1.6.95. Signed. A Ramaswami Ayyar
Deputy Commr.

"Copy"
Sdy. M.G. Krishnaiengar
Rec. Sher., unprotected

Compd
Sdy N. Sambathiengar

"Copy" for the file -

copy applied for by
clerk on receiving
Copy ready
Copy delivered
words
Copying fee
Comparing fee

9.12.01.

Copy proceeded
along with the appeal
Petr returned to
Petr thro. his counsel
Sadagopachari who
Mr Puranti Rao of the
Petr Branch has
recognised & undertaken
to see the service of the Petr.

9.12.01

AA. 37-93-20

~~In the Court of~~ Before the Council of H. H. The Maharajah of Mysore

Revenue ~~Civil~~ Appeal No. of 1895.-96

V. Sashachellum Mudelliar ~~Plaintiff.~~ Petitioner appellant

~~versus~~

~~Defendant.~~

I, V. Sashachellum Mudelliar the Petitioner (appellant),

above named do hereby nominate and appoint J. W. Hayes, Esquire, Gentleman, Barrister-at-Law to be my Counsel in the above suit, and I do hereby empower my said Counsel to appear for and on my behalf in the above suit, to take all and any steps which may be necessary on my behalf arising out of or in connection with the above suit either during its progress or after its decision; to sign and subscribe his name to any document which he may deem proper; to receive out of the said Court any sum or sums of money which may be lodged or become payable or receivable on my behalf and on receipt thereof to grant receipts or other sufficient discharges for the same; to withdraw, compromise or refer to arbitration the said suit; to appoint one or more substitute or substitutes and to act and perform all other matters and things relating to or connected therewith; to represent me in all matters relating to the same and to act in the premises as fully and effectually to all intents and purposes as I might do if personally present and did the same; AND I do hereby agree to pay all Fees, Costs, Charges and expenses which may be incurred and to allow, ratify and confirm all and singular whatsoever my said Counsel shall lawfully do or cause to be done in the premises by virtue hereof.

Dated this the 18th day of July 1895.

V. Sashachellum

Accepted

J. W. Hayes Jr.

Barrister-at-Law and Counsel for.

Petitioner - appellant.

V. Sashachellum Mudl. is personally known to me and he signed this Power in my presence.

J. W. Hayes Jr.

18th July 1895.

REVENUE DEPARTMENT
1895 2266
& 147
18 SEP 95
DEWAN'S OFFICE

Ex: / Clerk This paper has only now come to me from the Dfs's. Place a Rev: Liy's Table for orders as the file is in Camp. J. Lloyd
8/10/95 S. M.

From

The Deputy Commissioner,
Mysore District.

Received from the Camp
10/10/95

Section A. C.
File No 37-93.
Serial No 11

To

The ~~Chief~~ Revenue Secretary to the ~~Dewan~~ Govt of Mysore.

Dated 14th September 1895.

Despatched

Received

Enclosures No. two

No. 387

Reporting on the arrears of Coddy revenue due from R. C. Muddappa.

Ecised
17-9-95

62

No. 387
Enclosures No. two

53

DEPUTY COMMISSIONER'S OFFICE,
MYSORE DISTRICT,
Dated 14th September 1895.

A.C. 37-93-11

From

The Deputy Commissioner,
of the Mysore District.

To Revenue Govt
The ~~Chief~~ Secretary to the ~~Dewan~~ of Mysore.

SIR.

With reference to your docket (12) in file No: 3 of 92. No. 2465-2 / R.T. 3-92 of the 25 June 1895, forwarding copy of a note prepared in your office regarding the arrears of toddy revenue due from R. C. Muddappa, and calling for a report thereon, I beg to state as follows:—

2. The arrears referred to relate to three separate toddy contracts held by (1) Davy Muddappa and Co, (2) R. C. Muddappa and Co and (3) R. C. Muddappa. —

3. Davy Muddappa and Co (Composed of Mr W. D. Davy, Sowcar Bommiyah, Chick Mallah, Hotte Rangana and R. C. Muddappah) were the toddy Contractors of the Mysore District

for

for 6 years, from 1st April 1881 to 31st March 1887, and as such they exercised the right of vending toddy in the villages of the Gelandur Jahagir during the period of their contract and paid Rs. 34,961-4-2 to the Jahagshirdar of Gelandur on ac= count of toddy revenue at Rs. 485-9-2 per month. But the Jahagshirdar of Gelandur claimed Rs. 57,285-6-2 or Rs. 16,324-2-0 over and above what had been paid to him, and the then Deputy Commissioner, in his order in revenue Miss: Case No. 3 of 1889-90, decided that the Jahagshirdar should be paid Rs. 46,800 at Rs. 650 per month, and, de= ducting Rs. 34961-4-2 already paid to the Jahagshirdar, ordered the payment of the remainder, viz Rs. 11838-11-10, together with interest at 6 per cent per annum from the 1st January 1890. Against that order both parties - viz Davy, Mudappa and Co and the Gelandur Jahagshirdar, appealed to Government. But the Govern= ment confirmed the award made by the Deputy Commissioner in their proceedings

No

(32) in file No: 31

No. 9020-3 / R-7-223-92 of the 11th December 1892. The total amount this due to the Jahagirdar of Yelandur from Davy Muddappa & Co. is Rs 11838-11-10 and interest thereon up to the 31st March 1894 at 6 per Cent viz Rs 3196-2-- or Rs 15034-11-10 in all

(1) 4 R. C. Muddappa and Co. held the toddy contract of the Mysore District for 3 years, from 1st April 1887 to 31st March 1890 This Company was composed of R. C. Muddappa, Dodda Mallanna and Ramaiah, but invariably R. C. Muddappa paid all Government dues and acted on behalf of this firm. The Jahagirdar of Yelandur claimed for the 3 years of this contract Rs 809-12-6 per mensem, but as the Contractors would not consent to pay more than Rs 250 a month they appealed to the Deputy Commissioner. In his order in Revenue Miscellaneous Case No 4 of 1889-90, the Deputy Commissioner decided

decided that the Jahagirdar should be paid at Rs. 757-8- per month. He further ordered that the amount of the first 2 years of the period of the contract that had already elapsed viz Rs. 18,180 (for the years 1887-88 and 1888-89) should be paid within the 15 Dec.r 1889 and if after that date with interest at 6 per cent per annum from afte that date viz the 16th December 1889. As for the amount of 6 months of 1889-90 that had already elapsed he ordered that it (2 Rs 4,545) should be paid before the 31st December 1889 and if after that date with interest from that date (viz the 1st January 1890) ~~with interest~~ at 6 per cent per annum Against this also both parties appealed to Government, but the award of the Deputy Commissioner was confirmed in Govern ment proceedings. No. 9020-3 x / R.F. 223-92 of the 11th December 1893. Thus the total amount due to the Jahagirdar of Gelandur from R. C. Muddappa & Co. for three years is Rs. 24,270 and interest thereon. For this, Rs. 24,563-11-10 have been paid leaving a

balance of Rs 2706-4-2. To this had to be added interest of Rs 1530-14-1 up to 30th June 1894 as shewn in statement No. I (2) sent with this office letter No. 1422 of the 22nd June 1894 To this again has to be added interest from 1st July 1894 to date of payment

5 This closes the account between the said 2 sets of Contractors and the Yelandur Jahagirdar for the years from 1881-82 to 1889-90

6 Besides the above a sum of Rupees 9034-2-3 is due from B. C. Muddappa and Co to senior mandars Vide statement No. II sent with this Office letter No. 1422 of the 22nd June 1894. To this has as per marginal notes of this Office letter No 1243 of the 7th May 1895, to be added a sum of Rs 256-13-5 on account of interest up to 3rd April 1895. This amount has not been included in the notes sent with your docket under reply. Interest for the subsequent period up to date of payment has also to

be

(35) in file No 3.

(39) in file No. 3

7. R. C. Muddappa held the toddy Contract of the Mallavalli taluk for the year 1893-94. On this account, Rs. 1915-15-10 are due from him to Government. As this fact was not reported to Government hitherto this sum has not been shewn in the notes of your office above referred to.

8. To summarize briefly, the total amounts due on account of the 3 separate contracts stand as follows:-

From		Rs. as. p.
(a)	Messrs Davy Muddappa & Co. to the Zelandar Jahaghirdar with interest up to 30th June 1894	15034-13-10 ✓
(b)	From R. C. Muddappa and Co. to the Jahaghirdar of Zelandar with interest up to 30th June 1894	4237-2-3 ✓
(c)	From R. C. Muddappa & Co. to minor inamdars with interest up to 30th June 1894	9034-2-3
(d)	Interest on ditto up to 3rd April 1895 From 1st July 1894	256-13-5
(e)	From R. C. Muddappa to Govt. on account of the Malavalli taluk	1915-15-10
	Total Rs.	30478-15-7

This again may be divided into 2 classes

	Rs.	as	
Amount recoverable from Messrs Davy Muddappa & Co:	15034	13	1
That recoverable from R. C. Muddappa on account of R. C. Muddappa & Co. and R. C. Muddappa	15444		9
Total Rupees	30478	15	7

For the above balance Rs 10,897-13-5 have been recovered on account of R. C. Muddappa as follows viz

Rs 3413 from Chikka Muttyal Shetty a debtor R. C. Muddappa & Co.

Rs 7484-13-5 from V. Seshachellum Mudleal who bought the lands of R. C Muddappa attached for the arrears due from him

If the interest of Rs 8,305-8-10 paid by R. C. Muddappa to Government on account of late payment of Kists, be refunded to him, as contemplated in para 5 of Government proceedings No. X 3463-5 / R. T. 3-92 of the 25th August 1894 and that sum be added to the amount of Rs 10,897-13-5 levied on his account it will make a total of Rs 19,203-6-3.- Deducting from it Rs 15,444-1-9, the amount of arrears due from R. C. Muddappa as above

shewn, there will be left Rs 3759-4-6 which may be taken towards the amount due from Davy Muddappa and Co", as R. C. Muddappa is a member of that Company's

10. If the said sum of Rupees 3759-4-6 is credited towards Rs 15,034-13-10 due from Davy Muddappa and Co", the balance to be recovered from them, will be Rs 11,275-11-4. Thus the amount remaining unadjusted is Rs 11,275-11-4 and not Rs 9,102-12-1 as stated in the notes of your Office. This balance has to be recovered from the property of persons that formed Davy Muddappa and Co", as directed in Government proceedings Rs C 54-5 of the 11th April 1694 and Rs 3394-6 / R 7-3-92-93 of the 25 August 1694

15-034-13-10
3759-4-6
11275-9-4

× (26) in [illegible]
× (31 1/2) in [illegible]

11. Now, in regard to the petitions of the said R. C. Muddappa and H. Ranganna one of Davy Muddappa and Co".

12. Hotte Ranganah states that at the instance of R. C. Muddappa a sum of Rs 5343-2-8 (not Rs 5,344-2-8 as stated

(5) in file No 223-Part I

stated in his petition) received on ac=
count of the dues of Davy Muddappa
and Co. was taken towards the arrears
of R. C. Muddappa and Co. As per
Government order, Camp No. X 1193 of the
26th March 1890, Rs. 15,258-11-5 the sale
proceeds of Government Bonds deposited
by Davy Muddappa and Co. were re=
ceived from the Comptroller and Rupees
5433-11-10 were received from the
Deputy Commissioner of the Bangalore
District as being the sale proceeds of
the stock and block of Chick Malliya
a member of Davy Muddappa and Co
making a total of Rs. 20,691-12-3. This
was for the purpose of being paid to
Inamdars on account of the dues of
Davy Muddappa and Co. Out of this
Rs. 15348-9-1 were paid, leaving a
balance of Rs. 5343-2-8. This amount
and the sum of Rs. 29,568-11-6 subsequently
received from R. C. Muddappa on
account

account of R. C. Muddappa and Co were paid to Inamdars for the period of R. C. Muddappa and Co's Contract. Thus Hotté Ranganna's Complaint that a sum of Rs 5343-2-8 received on account of Davy Muddappa and Co was taken towards the arrears of R. C. Muddappa & Co is true

13 It is not possible to follow the calculations of the amounts due to Inamdars made by R. C. Muddappa in his petition referred to in para 4 of your office notes under reference, as the data on which they have been based have not been specified

14 The amount of deposit held of R. C. Muddappa in the District Treasury exclusive of what was recovered on his account as above from V. Shashachellum Mudliar and Chicka Muthyal Shetty is Rupees 2968-5-8 and not Rupees 4215-8-6 as stated in his petition.

15. The petitions received with

1887	3	15	237
1887	0	4	9
1887	9	6	9½
1887	0	10	44
1887	0	0	30
1887	0	0	11
1887	0	0	3.00
1887	0	0	11
1887	0	0	27½

9—7—6	1887	ਦੇ ਪੈਂਤੀ ਦੇ ਸਤਾਰਾਂ

۱۱۔ ۱۰ ۔ ۱۰ ۔ ۱۰

ਸਾਰੇ ਸਾਰੇ ਸਾਰੇ

ਸਾਲ 2069-11-20 ਦੀ ਮਿਤੀ ਦੇ ਫੈਸਲੇ ਨੂੰ ਰੱਦ ਕਰਨ ਦੀ ਮੰਗ ਕੀਤੀ ਹੈ।

ਅਤੇ ਇਹ ਵੀ ਕਿ ਅਪੀਲਕਰਤਾ ਨੇ ਆਪਣੀ ਅਪੀਲ ਵਿੱਚ ਇਹ ਵੀ ਕਿਹਾ ਹੈ ਕਿ ਉਸ ਦੀ ਜ਼ਮੀਨ ਦੇ ਮੁਆਵਜ਼ੇ ਦੇ ਫੈਸਲੇ ਵਿੱਚ ਜ਼ਮੀਨ ਦੀ ਕੀਮਤ ਘੱਟ ਲਗਾਈ ਗਈ ਹੈ ਅਤੇ ਉਸ ਦੀ ਜ਼ਮੀਨ ਦੀ ਕੀਮਤ ਵਧਾ ਕੇ ਲਗਾਈ ਜਾਵੇ।

ਅਪੀਲਕਰਤਾ ਦੇ ਵਕੀਲ ਨੇ ਦਲੀਲ ਦਿੱਤੀ ਕਿ ਅਪੀਲਕਰਤਾ ਦੀ

ਨਾਲ ਲੱਗਦੇ ਹੋਏ ਨੰਬਰ 13 ਨੂੰ ਮੌਕੇ ਤੇ ਨਾਪਿਆ ਤਾਂ ਇਹ ਨੰਬਰ 13 ਦੇ ਕਬਜ਼ੇ ਵਿੱਚ ਹੀ ਪਾਇਆ ਗਿਆ ਜਿਸ ਦੀ ਪੈਮਾਇਸ਼ ਮੌਕੇ ਤੇ ਹੋਈ ਹੈ ਜੋ ਕਿ ਮੌਕੇ ਤੇ ਹੀ ਦਰੁਸਤ ਪਾਈ ਗਈ ਹੈ ਜਿਸ ਦੀ ਰਿਪੋਰਟ ਮੌਕੇ ਤੇ ਹੀ ਦਿੱਤੀ ਜਾਂਦੀ

12 ਮਈ 1895